REMARKS

Reconsideration of the present application is respectfully requested.

Claims 1-3, 5-13, 15-25 and 27-28 previously presented for examination remain in the application. Claims 1, 5, 7, 13, 15, 18, 23 and 27 have been amended. Claims 4, 14 and 26 have been canceled. No new claims have been added.

Claims 1-3, 5-13, 15-25 and 27-28 stand rejected under 35 U.S.C. § 103(a) as being considered to be unpatentable over U.S. Patent No. 6,505,048 to Moles et al. ("Moles") in view of U.S. Patent No. 6,571,279 to Herz et al. ("Herz").

Claim 1 includes the limitations

> receiving a request from a requestor for a location property associated with a location of a computer system; and
> determining whether a privacy preference associated with the requestor has been specified; and
> if a privacy preference associated with the requestor has not been specified, requesting a privacy preference associated with the requestor from the user in response to receiving the request.

(Claim 1)(Emphasis added)

Applicants respectfully submit that Moles, alone or in combination with Herz, does not teach or suggest requesting a privacy preference associated with a requestor in response to receiving a request, if a privacy preference associated with the requestor has not been specified.

As previously stated, Moles discloses a location privacy feature for wireless mobile stations and method of operation. According to Moles, control circuitry capable of being selectively set to disable the transmission of information concerning the location of the wireless mobile station includes a directory of telephone numbers of locations authorized to receive information

concerning the location of the wireless mobile station. Moles also discloses control circuitry capable of receiving a code that causes the wireless mobile station to transmit information concerning the location of the wireless mobile station and methods for selectively disabling the transmission of information concerning the location of the wireless mobile station. (See e.g. Moles, Abstract).

As admitted in the Office Action, Moles does not disclose querying a user for a privacy preference associated with a requestor in response to receiving a request from the requestor for location information, if a privacy preference has not previously been specified.

A combination of Herz with Moles does not remedy the deficiencies of Moles.

Herz discloses a Location Enhanced Information Delivery System Architecture to customize the information that is displayed to an information recipient based on optimizing a match between information purveyors, such as advertisers, and the information recipients who are local to an information delivery system. The location enhanced delivery system of Herz is to present the information suited to the real current audience, as measured by location information systems, rather than to a static predicted audience. (see e.g. Herz, Abstract).

It is stated in the Office Action on page 3, that

"The claimed if privacy preference associated with the requestor has not been specified can broadly interpret as a requestor cannot gain access because

the privacy preference is not given or identified. Thus, would make sense to request from the user a privacy preference associated with the requestor as claimed if the privacy preference was not already given or specified."

It is further stated on pages 4-5 that

"Automatic matching techniques notifies users of other users that are located in or near the same vicinity and match the desired profiled conditions, as consistent with the privacy policies of users...Hertz discloses access control criteria dictating profile access and reachability of the user may be controlled accordingly based upon the profile of the requestor and/or the nature of the request....If the requestor does not meet to the profile and privacy profile conditioned by the user, then it is obvious that the requestor is either not allowed to communicate or the requestor has not been identified with this particular user."

At the bottom of page 5, it is stated that

"Therefore, it would have been obvious for a person of ordinary skill in the art to combine the teaching of Moles with Hertz to teach if a privacy preference associated with the requestor had not been specified, requesting a privacy preference for access control."

Applicant respectfully submits that it would not have been obvious to take such an action. As admitted in the Office Action, neither Herz nor Moles disclose such a feature. For both Moles and Herz, if a requestor is denied access, a natural consequence is simply that no access is granted. Taking an extra step of prompting a user to specify a privacy preference if one has not been previously specified would not have been an obvious consideration for a mobile station that

provides location information only to approved numbers and/or a targeted service that looks for matches with user profiles.

For at least this reason, claim 1 is patentably distinguished over Moles, alone or in combination with Herz.

Independent claims 7, 13, 18 and 23 include a similar limitation to that argued above in reference to claim 1.

Claims 2-3 and 5-6, claims 8-12, claims 15-17, claims 19-22 and claims 21-25 and 27-28 depend from and further limit claims 1, 7, 13, 18 and 23, respectively.

Thus, for at least the same reasons argued above in reference to claim 1, claims 2-3, 5-13, 15-25 and 27-28 should be found to be patentable over Moles and Herz, alone or in combination.

Further, Moles and Herz do not teach or suggest, for example, providing a pop-up dialog box as set forth in claims 6, 15, 19 and 27, providing an option during BIOS configuration to enable/disable location-aware computing as set forth in claims 8 and 21 or using ACPI-based techniques as set forth in claims 12 and 22.

Based on the foregoing, applicants respectfully submit that the applicable rejections have been overcome and that claims 1-3, 5-13, 15-25 and 27-28 are in condition for allowance. If the Examiner disagrees or believes that further discussion will expedite prosecution of this case, the examiner is invited to telephone applicants' representative at the number indicated below.

If there are any charges, please charge Deposit Account No. 50-0221.

Respectfully submitted,

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